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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,575	02/08/2002	Marc A. Smith	1026-052/MMM	2608

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EXAMINER

KOROBV, VITALI A

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	Application No. 10/071,575	Applicant(s) SMITH ET AL.	
	Examiner Vitali Korobov	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 15-17 and 35-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 15-17 and 35-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to an RCE filed on 01/10/2006.

Claims 1 and 35 have been amended. Claims 1-12, 15-17 and 35-37 are currently pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. The applicant's submission filed on 01/10/2006 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12, 15-17 and 35-37 are rejected under 35 U.S.C. 102(e)

as being anticipated by the U. S. Patent No. 6,865,715 B2 to Uchino et al.,

hereinafter Uchino.

Regarding claim 1, Uchino teaches a computer mediated persistent conversation system having one or more computers with which each of multiple users author and post messages in one or more conversations, the system including a computer-readable medium that stores computer software instructions for operating the system, the improvement comprising: computer software instructions stored on the computer-readable medium for obtaining selected information from the one or more conversations (Fig. 1 - multiple conversations; Fig. 4, items 402 - structure analysis unit, item 401 - format analysis unit, item 403 - content analysis unit); computer software instructions stored on the computer-readable medium for storing the selected information and forming from it aggregated conversation data that includes aggregations according to time, conversation, and authoring user (Fig. 4 - various index files and aggregation of data by author (author view), conversation (thread view) and time (FIG. 56 shows a display example of a thread structure retrieved in time period units)); computer software instructions stored on the computer-readable medium for tagging the messages when they are posted by authoring users as being of one or more selected message types comprising a Question message type indicating that a message is a question and an Answer message type indicating that a message is an answer to a Question message type (Col. 21, lines 30-56 - Document Index, showing message type: information indicating the type of the document, that is, Q (question), A (answer), or T (thanks), when the document corresponding to the entry is contained in the Q and A pattern. See

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also col. 22, lines 14-29 - QA_ID); and computer software instructions stored on the computer-readable medium for providing the aggregated conversation data and message type tags to users of the computer mediated persistent conversation system (Fig. 4 - various index files and aggregation of data by author (author view), conversation (thread view) and time (FIG. 56 shows a display example of a thread structure retrieved in time period units). See also fig. 39, showing aggregated view of messages by message type).

Regarding claim 2, Uchino teaches the system of claim 1 in which the computer mediated persistent conversation system includes any of Usenet (NNTP) newsgroups, World Wide Web (HTTP) message or bulletin board sites, email lists, or online chat rooms (Fig. 41 - Chat Index. See also col. 6, lines 12-22).

Regarding claim 3, Uchino teaches the system the system of claim 1 in which the computer mediated persistent conversation system includes Usenet (NNTP) newsgroups (FIG. 40 shows the configuration of the DISCUSS index. See also col. 6, lines 12-22).

Regarding claim 4, Uchino teaches the system of claim 1 in which the aggregated conversation data includes plural aggregations according to plural time periods or resolutions (Col. 28, lines 23-24 - aggregations of messages according to plural time periods or resolutions).

Regarding claim 5, Uchino teaches the system of claim 4 in which the plural aggregations according to plural time periods or resolutions include aggregations according to two or more of the time periods or resolutions: day,

week, month, quarter, year, year-to-date (Col. 28, lines 23-24 - aggregations of messages according to plural time periods or resolutions).

Regarding claim 6, Uchino teaches the system of claim 1 in which the aggregated conversation data includes plural aggregations according to plural conversation characteristics or identifiers (Col. 28, lines 20-24 - aggregations of messages according to plural conversation characteristics or identifiers, such as Questions, Answers, time periods, etc. See also Fig. 58).

Regarding claim 7, Uchino teaches the system of claim 6 in which plural conversations are related by plural hierarchical levels of organization, the plural aggregations according to plural conversation characteristics or identifiers including aggregations according to two or more of the hierarchical levels of organization (Fig. 1 - plural hierarchical levels of organization. Fig. 59 - the plural aggregations according to plural conversation characteristics or identifiers).

Regarding claim 8, Uchino teaches the system of claim 1 in which the aggregated conversation data includes plural aggregations according to plural authoring user characteristics or identifiers (Fig. 27).

Regarding claim 9, Uchino teaches the system of claim 8 in which the plural authoring user characteristics or identifiers correspond to plural hierarchical levels of authoring user identifier, the plural aggregations according to plural authoring user characteristics or identifiers including aggregations according to two or more of the hierarchical levels of authoring user identifier (Fig. 27).

Regarding claim 10, Uchino teaches the system of claim 1 in which one or more reply messages respond to an initial message and the aggregated conversation data provided to users includes an indication of a fraction of an authoring user's messages that are replies in a selected one of the conversations relative to the authoring user's reply messages in all of the conversations (Col. 22, lines 3-5 and 30-37).

Regarding claim 11, Uchino teaches the system of claim 1 in which one or more reply messages respond to an initial message and the aggregated conversation data provided to users includes an indication of a number of replies by an authoring user and a number of initial messages to which replies are posted (Col. 21, lines 43-45. See also a description of similar indexes in cols 21-22).

Regarding claim 12, Uchino teaches the system of claim 1 in which one or more reply messages respond to an initial message and the aggregated conversation data provided to users includes an indication of a number of days on which an authoring user posted a message in a selected one of the one or more conversations relative to a number of days on which an authoring user posted a message in any of the one or more conversations (Fig. 5).

Regarding claim 15, Uchino teaches the system of claim 1 in which the one or more selected message types includes a Closed message type indicating that a message of the Answer message type resolves a message of the Question message type (Col. 21, lines 53-56, where the limitation of a Closed message is

met by T (thanks) type message, indicating that a message of the Answer message type resolves a message of the Question message type).

Regarding claim 16, Uchino teaches the system of claim 1 in which one or more reply messages respond to an initial message, the one or more selected message types including a Closed message type indicating that a selected reply message resolves the initial message (Col. 21, lines 53-56, where the limitation of a Closed message is met by T (thanks) type message, indicating that a message of the Answer message type resolves a message of the Question message type).

Regarding claim 17, Uchino teaches the system of claim 1 in which the aggregated conversation data are provided to users as a profile that references a selected user or a conversation (Col. 21, Document Index, Thread Index).

Claims 35-37 are rejected in view of the above rejection of claims 1-3.

Claims 35-37 are essentially the same as claims 1-3, except that they set forth the invention as a method rather than a system, as do claims 1-3.

4. **Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Response to Arguments

5. The applicant's arguments with respect to claims 1-12, 15-17 and 35-37 have been carefully considered but are moot in view of the following new grounds of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR § 1.111(c).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vitali Korobov whose telephone number is 571-272-7506. The examiner can normally be reached on Mon-Friday 8a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public

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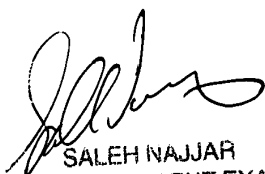
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Vitali Korobov
Examiner
Art Unit 2155

03/18/2006
VAK



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SUPERVISORY PATENT EXAMINER